

PATENT  
Attorney Docket No.: 22379-701

O I P E J C A G  
FEB 14 2000  
PATENT & TRADEMARK OFFICE

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR UTILITY PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND APPARATUS FOR ELECTRONIC COMMERCE  
USING A TELEPHONE INTERFACE**

the specification of which

\_\_\_\_\_ is attached hereto.

X was filed on 17 December 1999 as Application No. 09/466,236  
and was amended on \*  
(If Applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a) which states in relevant part: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section....The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98."

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

\_\_\_\_\_ (Number)

\_\_\_\_\_ (Country)

\_\_\_\_\_ (Day/Month/Year Filed)

Yes

No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), and under §119(e) of any United States provisional application(s), listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>09/426,102</u> (Application Serial No.)	<u>October 22, 1999</u> (Filing Date)	<u>Pending</u> (Patented, Pending, Abandoned)
 (Application Serial No.)	 (Filing Date)	 (Patented, Pending, Abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith, and to file, prosecute and to transact all business in connection with international applications directed to said invention:

Paul Davis	29,294
John J. Bruckner	35,816
David J. Weitz	38,362
Kent R. Richardson	39,443
U.P. Peter Eng	39,666
Barbara Courtney	42,442
Richard L. Gregory, Jr.	42,607
Van Mahamedi	42,828
Shantanu Basu	43,318
Shaalu Mehra	44,934
Stephen Warhola	43,237
Shirley Chen	44,608
Joel Harris	44,743
Erik L. Oliver	P46,296

Address all correspondence to:

Erik L. Oliver  
Wilson Sonsini Goodrich & Rosati  
650 Page Mill Road  
Palo Alto, CA 94304

Direct all telephone calls to Erik L. Oliver at (650) 493-9300.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or  
first inventor:

Hadi Partovi

Inventor's signature:



Date:

1/18/2000

Citizenship:

United States

Residence:

2280 Green Street #104, San Francisco, California 94123

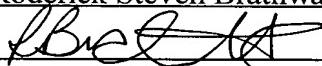
Post Office Address:

Same As Above

Full name of second joint  
inventor, if any::

Roderick Steven Brathwaite

Inventor's signature:



Date:

1/17/2000

Citizenship:

United States

Residence:

490 Andrews Street, Livermore, California 94550

Post Office Address:

Same As Above

Full name of third joint

inventor, if any::

Angus Macdonald Davis

Inventor's signature:



Date:

1/17/2000

Citizenship:

United States

Residence:

991 The Dalles Avenue, Sunnyvale, California 94087

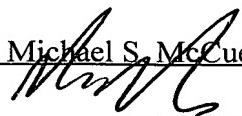
Post Office Address:

Same As Above

Full name of fourth joint

inventor, if any::

Michael S. McCue



Inventor's signature:

Date:

1/17/2000

Citizenship:

United States

Residence:

400 Surmont Road, Los Gatos, California

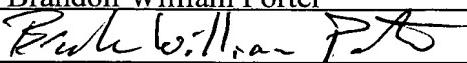
Post Office Address:

Same As Above

Full name of fifth joint

inventor, if any::

Brandon William Porter



Inventor's signature:

Date:

1/17/2000

Citizenship:

United States

Residence:

840 E. Dana Street, Mountain View, California 94041

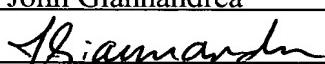
Post Office Address:

Same As Above

Full name of sixth joint

inventor, if any::

John Giannandrea



Inventor's signature:

Date:

1/17/2000

Citizenship:

Great Britain

Residence:

977 Commercial Street, Palo Alto, California 94303

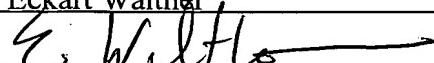
Post Office Address:

Same As Above

Full name of seventh joint

inventor, if any::

Eckart Walther



Inventor's signature:

Date:

1/17/2000

Citizenship:

Germany

Residence:

150 Doherty Way, Redwood City, California 94061

Post Office Address:

Same As Above

Full name of eighth joint

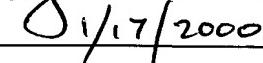
inventor, if any::

Eugene Koh

Inventor's signature:



Date:

 8/17/2000

Citizenship:

United States

Residence:

1021 Paradise Way

Palo Alto, California 94306

Post Office Address:

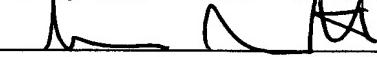
Same As Above

Full name of ninth joint

inventor, if any::

Andy Scott

Inventor's signature:



Date:

 1.18.00

Citizenship:

United States

Residence:

1440 Union St., #307, San Francisco, CA 94109

Post Office Address:

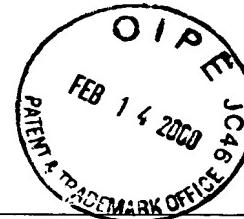
Same As Above

**POWER OF ATTORNEY BY ASSIGNEE TO EXCLUSION OF INVENTOR**  
**UNDER 37 C.F.R. § 3.71 WITH REVOCATION OF PRIOR POWERS**

The undersigned ASSIGNEE of the entire interest in:

- U.S. Patent No. \_\_\_\_\_  
 U.S. application no. 09/466,236, filed on 17 December 1999

hereby appoints the following attorneys of Wilson Sonsini Goodrich & Rosati:



Attorney Name	Reg. No.	Attorney Name	Reg. No.
Paul Davis	29,294	John J. Bruckner	35,816
Kent R. Richardson	39,443	David J. Weitz	38,362
David J. Abraham	39,554	U.P. Peter Eng	39,666
George A. Willman	41,378	Barbara J. Courtney	42,442
Steven J. Benerofe	41,613	Travis L. Dodd	42,491
Jinntung Su	42,174	Van Mahamed	42,828
Richard L. Gregory	42,607	Chen, Shirley	44,608
Harris, Joel	44,743	Mehra, Shaliesh	44,934
Erik L. Oliver	P46,296		

and all Wilson Sonsini Goodrich & Rosati attorneys registered to practice before the United States Patent and Trademark Office, to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee:

*(complete one of the following)*

- a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or  
 the Assignment recorded on \_\_\_\_ at reel \_\_\_, frames \_\_\_\_ - \_\_\_\_.

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Direct all correspondence and telephone calls to:

Name	Erik L. Oliver				
Address	Wilson Sonsini Goodrich and Rosati				
Address	650 Page Mill Road				
City	Palo Alto	State	CA	Zip	94304
Country	USA	Telephone	(650) 493-9300	Fax	(650) 493-6811

ASSIGNEE: Tellme Networks, Inc.

Name: J.W. O'Halloran  
 Typed or Printed

Name: J.W. O'Halloran  
 Signature

Title: Vice President

Date: 1/31/00

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR. 1.9(f) &amp; 1.27(c)) -- SMALL BUSINESS CONCERN</b>		Docket Number (Optional) 22379-701
Applicant, Patentee, or Identifier: <i>O I P E J C P</i>	Hadi Partovi, Roderick S. Brathwaite, Angus M. Davis, Michael S. McCue, Brandon W. Porter, John Giannandrea, Eckart Walther, Eugene Koh, Andy Scott	
Application or Patent No.: <i>FEB 14 2000</i>	09/466,236	
Filed or Issued:	17 December 1999	
Title: <i>PATENT &amp; TRADEMARK OFFICE</i>	Method And Apparatus For Electronic Commerce Using A Telephone Interface	
I hereby state that I am		
<input type="checkbox"/> the owner of the small business concern identified below <input checked="" type="checkbox"/> an official of the small business concern empowered to act on behalf of the concern identified below		
NAME OF SMALL BUSINESS CONCERN	Tellme Networks, Inc.	
ADDRESS OF SMALL BUSINESS CONCERN	977 Commercial Street, Palo Alto, California 94303	
<p>I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.</p>		
<p>I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:</p>		
<input type="checkbox"/> the specification filed herewith with title as listed above <input checked="" type="checkbox"/> the application identified above <input type="checkbox"/> the patent identified above		
<p>If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).</p>		
<p>Each person, concern, or organization having any rights in the invention is listed below:</p>		
<input type="checkbox"/> no such person, concern, or organization exists <input type="checkbox"/> each such person, concern, or organization is listed below.		
NAME OF SMALL BUSINESS CONCERN		
ADDRESS OF SMALL BUSINESS CONCERN		
<p>Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities (37 CFR 1.27).</p>		
<p>I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).</p>		
NAME OF PERSON SIGNING	<i>J.W. Pitts, III</i>	
TITLE OF PERSON IF OTHER THAN OWNER	<i>Vice President</i>	
ADDRESS OF PERSON SIGNING	<i>977 Commercial Ave. Palo Alto Cal. 94305</i>	
SIGNATURE <i>J.W. Pitts, III</i>	DATE	<i>1/31/00</i>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.